PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CRED ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUT DEPOSIT ACCOUNT NO. 04-0100

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PATENT TRADEMARK OFFICE

Docket No. 3380/11127-US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lawrence PAPSIDERO et al.

For:

DETECTION AND TREATMENT OF BREAST DISEASE

CONTINUING APPLICATION

Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

This is a request for filing under 37 C.F.R. 1.53(b) of a:

[] Continuation

[X] Divisional

application of the following pending prior application:

Serial No.

09/146,580

Filed:

September 3, 1998

Of:

Lawrence PAPSIDERO et al.

For:

DETECTION AND TREATMENT OF BREAST DISEASE

Examiner:

A. Holleran

Group:

1642

1. Enclosed is a copy specification and <u>26</u> claims: <u>6</u> indep.; <u>20</u> dep.; <u>0</u> multiple dep.; including <u>52</u> pages of written description; <u>4</u> pages of claims; <u>1</u> page of abstract.

2. Enclosed is a copy of the <u>original Declaration</u> submitted in U.S. Serial No. 09/146,580, filed September 3, 1998. Please use this copy as the declaration for the present case.

3. The filing fee is calculated below:

CLAIMS AS FILED, AFTER ACCOMPANYING AMENDMENT

			Claims on File	Number Extra	Rate
Basic Fee					\$710.00
Tota	al Clain	ns	26 - 20 =	6 x \$18	\$108.00
Independent Claims 6 - 3 = 3×80					\$240.00
If Multiple Dependent Claims Are Present, Add \$270.00					\$0.00
		Total Filing Fee			\$1,058.00
For Small Entity (half of preceding total)* \$529.00 *No. 8 below must be checked to claim this reduction.					
4.	A che	eck in the amount of \$ <u>529</u> is enclosed.			
5.	[X]	The prior application is assigned to: Codon Diagnostics, LLC			
6.	[X]	Preliminary Remarks is enclosed			
7.	[X]	Drawings are filed herewith: 1 Sheet (Fig. 1)			
8.	[X]	Applicant claims small entity status			
9.	[X]	Priority is claimed from Country: U.S.A. Number: 60/071,89 Date: 01/20/98	99		

Country:

U.S.A.

Number:

60/092,155

Date:

07/09/98

The priority document

[X] was filed in the prior application

[] is enclosed.

10. The Assignment

[X] was recorded at Reel 010202 Frame 0175 on August 30,

1999 and at Reel 9602 Frame 0618 on November 23, 1998

[] is enclosed.

- 11. Submission of Sequence Listing and Statement Pursuant to 37 C.F.R. § 1.821
- 12. [X] Nucleotide or Amino Acid Sequence Listing.

[X] Hard Copy

[X] CRF

13. Revocation of Power of Attorney, Substitute Power of Attorney, Change of Correspondence Address and Certification under 37 C.F.R. § 3.73(b).

Respectfully submitted,

Neepa Y. Choksi, Ph.

Reg. No. 47,488

Agent for Applicant(s)

DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022 212-527-7700